

PLACEMENT MEDIATION PROGRAM

PLEASE READ ALL OF THESE INSTRUCTIONS BEFORE SUBMITTING YOUR APPLICATION FOR PLACEMENT MEDIATION

If you are having problems with physical placement of your minor child, Wisconsin law requires that you try mediation first.

What Is Mediation?

Mediation assists separated parents that have placement (visitation) problems with minor children. In mediation, parents can resolve these problems without having the Court tell you what to do. Instead, a mediator meets with both parents to help create an agreement (parenting plan) that is in the best interest of the child.

What Issues CAN be Discussed in Mediation?

- Periods of Physical Placement (i.e. scheduled time with children, holidays, etc.)
- Legal Custody Issues (i.e. choice of school, healthcare issues, etc.)

What Issues CANNOT be Discussed in Mediation?

- Financial Issues (i.e. child support, tax exemptions, insurance, etc.)

Issues NOT APPROPRIATE for Mediation include:

- Enforcement – Mediation is not an enforcement program. If you need your current order enforced because the other party is not following it, you will need to consult with an attorney.
- Child Abuse / Neglect – Mediation is not appropriate in situations with child abuse and / or neglect. Please contact your nearest Department of Social Services to report abuse / neglect.
- If you have not seen your child in over six months, your application will be denied. You will need to consult with an attorney and / or file a motion with the Court if you have not seen your child in six months or longer.
- If your Judgment of Divorce is less than 2 years old, your mediation application will be denied. You will need to consult with an attorney and / or file a motion with the Court.
- If Alcohol, Drug Abuse and / or Domestic violence are significant factors in your relationship with the other parent, it is likely that your application will be denied. You will need to consult with an attorney and / or file a motion with the Court.

How Do I Apply?

First, complete the attached application. You must include information for yourself **and** the other parent. Family Court Services cannot give you the other parent's address.

Second, you must prepay the mediation fee of \$100.00 at the Clerk of Courts. Mediation fees are a flat rate of \$200.00. This means that you will pay a one-time fee until the case is closed. Each parent is required to pay half of the total fee (\$100 per parent). You may pay by check, money order or cash (do not send cash through the mail). Please make check or money orders payable to the Clerk of Courts.

Third, you must return the application and proof of payment to:

Fond du Lac County Family Court Services
160 South Macy Street
Fond du Lac, WI 54935

What if I Can't Afford the Fee?

If your income is at or below poverty, or if you are receiving state aid (W-2, TANF, WIC, Food Stamps, SSI, etc.), then you can request a form asking that your fees be reduced or waived.

After I return the application, then what happens?

Family Court Services will review your application and proof of payment.* Next, Family Court Services will give your application to the Family Court Commissioner. The Family Court Commissioner will complete an Order for Mediation. A copy of the Order for Mediation and the application will be mailed to you and to the other parent.

What if I have more questions?

You will be able to ask questions during your first mediation session. Please wait until you come for this session.

- Family Court Services will contact you if there are any problems with your application.

MEDIATION APPLICATION

PLEASE NOTE: A COPY OF THIS FORM WILL BE GIVEN TO THE OTHER PARENT

Case No. _____ Date Divorce Granted: _____ (or) Date of Paternity Judgment: _____

Family Information:

FATHER

<Both sides must be completed>

MOTHER

Name: _____

Address: _____
Complete Address, Apt. #

City State Zip Code

City State Zip Code

Home Tele: (_____) _____
Area Code

(_____) _____
Area Code

Marital Status: _____

Place of
Employment: _____

Work Hours: _____

Work Tele: (_____) _____
Area Code

(_____) _____
Area Code

Children's Names & Ages (This relationship only):

Problem Information:

(Check Yes or No for the following questions)

Yes

No

Is the Family Court currently involved for custody, placement,
or any other issues concerning the children?

Do you have a restraining order prohibiting contact
with the other parent?

Are you represented by an attorney at this time?

Name of attorney _____

Is the other parent represented by an attorney at this time?

Name of attorney _____

(Continued on back)

The legal custody of the children is: (check one)

☐ Joint Legal Custody

☐ Sole Legal Custody to Mother

☐ Sole Legal Custody to Other *

* Who is Other? _____

☐ Sole Legal Custody to Father

Where is the primary residence?

☐ With the mother

☐ With the father

☐ With Other, Who? _____

☐ Shared placement, no primary residence

What is the current court order for physical placement (visitation) of the children?

Are you following the court order for physical placement? (Circle One)

YES

NO

If NO, please explain: _____

When did you last have placement (visitation) with the children? _____

Please explain why you are applying for mediation (FINANCIAL ISSUES WILL NOT BE ADDRESSED):

I certify that the above information provided is true to the best of my knowledge.

Signature

Date

Check if appropriate:

☐ I have completed the **Request for Waiver/Reduction of Mediation Fees** form and would ask that a review be made as to the required fees for mediation based on my income.